

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

October 1, 2009

**5:30 P.M.**

**MINUTES**

**Present:** Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** that the Minutes of the regular meeting of the Common Council held on September 24, 2009 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending September 30, 2009 in the amount of \$ 238,500.85 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the week of September 24-30, 2009
- Report from the Building Inspector's Office from August 25-September 29, 2009

**RESOLVED:** That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Valentine; Seconded by Councilor Rabideau

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:                      None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 686,220.03 are authorized and allowed and the Mayor and City Clerk (where

required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

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## **6. PERSONS ADDRESSING COUNCIL:**

**Andrew Golt** of 17 Couch St. complaining about noise in his neighborhood kids skateboarding at all hours of night, etc.

**Nick Masters** from Adirondack Humane Society. He thanked Council for allowing extra street drive and thanks to Press Republican. He gave some history on the Adirondack Humane Society and indicated he is resigning and appealed to the Council to help that organization.

**Gerald Carpenter** Johnson Avenue submitted and read quotes on fluoride.

**Bill Provost** of 7 Lafayette Street submitted and read quotes on fluoride.

**Dave Rugar** of 9 Maine Rd read his own opinion of fluoridation (he also works as Clinton County Public Health Sanitarian).

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## **7. OTHER ITEMS**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves that the City accept an offer by Johnson Raville LP to purchase 2 surplus parcels of land located on the south side of Broad Street.

By Councilor Carpenter; Second by Councilor Jackson  
Discussion: Councilor Jackson moved to make a motion to amend

**MOTION TO AMEND.**

Seconded by: Councilor Carpenter

I move to amend proposed resolution 7 a. To read as follows:

Resolved; that a printed resolution entitled RESOLUTION AUTHORIZING SALE OF SURPLUS CITY PROPERTY OFF BROAD STREET TO. JOHNSON RAVILLE LP which bears the footer date of October 1, 2009, a copy of which has been distributed to members of the Common Council, and authorizes the sale of one surplus parcel of land that lies adjacent to lands owned by Johnson Raville LP be adopted without reading the entire text of said resolution.

Vote on motion as amended.

Seconded by: Councilor Carpenter

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

In favor: All voted in the affirmative

Opposed: None

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves request from the City Engineer to advertise for bids for Contract #2009-14 "Police Station Roof Replacement."

By Councilor Calnon; Second by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**C. RESOLVED:** In accordance with the request therefore the Common Council approves the Mayor's appointment of Business Manager of International Brotherhood of Electrical Workers on the City Economic Development Zone Board to David Hoover effective October 1, 2009 to September 30, 2012.

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**D. RESOLVED:** In accordance with the request therefore the Common Council approves the Mayor's appointment of Economic Development Zone Board Member to Jim Calnon effective October 1, 2009 to September 30, 2012.

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative except for Council Calnon who abstained)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves the Mayor's appointment of Alternate member of the Planning Board to Mark Tiffer effective October 1, 2009 to January 14, 2011.

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. Motion to waive rule 4 for initial consideration** "Request from Plattsburgh High School to have its annual Homecoming Parade on Saturday, October 10, 2009 at 1:00 PM. The parade route would start from Stafford Middle School and march up Broad Street to the High School.

By Councilor Calnon; Second by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**RESOLVED:** In accordance with the request therefore the Common Council approves request from Plattsburgh High School to have its annual Homecoming Parade on Saturday, October 10, 2009 at 1:00 PM. The parade route would start from Stafford Middle School and march up Broad Street to the High School.

By Councilor Calnon; Second by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **8. TRAVEL REQUEST**

**A. RESOLVED:** In accordance with the request therefore the Common Council approves Request from MLD Manager Bill Treacy to attend the NYMPA Semi-Annual Meeting in East Syracuse, NY from October 21-22, 2009 at an estimated cost of \$255.00

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**B. RESOLVED:** In accordance with the request therefore the Common Council approves request from MLD Manager Bill Treacy to attend the MEUA Engineering Workshop in East Syracuse, NY from November 3-5, 2009 at an estimated cost of \$410.00.

By Councilor Kelly; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## **9. RESOLUTIONS FOR INITIAL CONSIDERATION**

1. Request from the City Chamberlain to close capital project H5110.19, River Sidewalk, and transfer the project surplus funds to a Trust & Agency account to be separately used for maintenance and repairs of the sidewalk when authorized by the City Clerk.
2. Request from the City Chamberlain to close capital project H1620.11, City Hall Assembly Hall, and transfer the project surplus funds to a Trust & Agency account to be separately used for maintenance and repairs of the hall when authorized by the City Clerk.
3. Request from Chief Paul Williams to seek bids for a replacement Aerial Fire Truck, including a modification of the 2009 Capital Plan to move the Aerial from 2010 to 2009, if necessary.
4. Request from the Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2009-10-1 "Sale of Salvaged & Scrap Materials. Bid Opening Date: November 3, 2009 at 11:00 am.
5. Request from Kenneth Primard, Community Development Office to advertise for rebids for building improvements on Project Main St. #6 – 12 Margaret St (Antique & Variety Mall). This project consists of replacing the entire front facade and roofing. The property owner rejected the bids because of the amount.
6. Request that the following resolution authorizing the Mayor to sign an agreement between the Dept. of State and the City of Plattsburgh for Phase VI of the Waterfront Rediscovery Program be approved.
7. Request from the Engineering & Planning Department to request proposals for survey of city streets.
8. Request from MLD to award Cox Industries, Leland, NC contract for Bid No. 2009-9-3 Wood

Utility Poles – 45 feet in the total amount of \$11,056.50.

9. Request from Plattsburgh High School to have its annual Homecoming Parade on Saturday, October 10, 2009 at 1:00 PM. The parade route would start from Stafford Middle School and march up Broad Street to the High School.

**(Moved to Agenda under “Other Items” Letter F)**

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## 10. NEW BUSINESS

**Councilor Carpenter** would like Kevin Farrington to update Council on the Oak Street and North Catherine Street project.

**Kevin Farrington** indicated that they are on schedule for paving this year. Notices went out to all residents.

**Councilor Jackson** moves to suspend Rule 4 to consider a resolution authorizing the sale of a parcel of surplus property to Thomas and Susan Latinville.

Seconded by: Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

In favor: All voted in the affirmative

Opposed: None

**Councilor Jackson** moves the adoption of the following resolution:

**RESOLVED:** that a printed resolution entitled RESOLUTION AUTHORIZING SALE OF SURPLUS CITY PROPERTY OFF BROAD STREET TO THOMAS AND SUSAN LATINVILLE which bears the footer date of October 1, 2009, a copy of which has been distributed to members of the Common Council, and authorizes the sale of one surplus parcel of land that lies adjacent to lands owned by said Thomas and Susan Latinville be adopted without reading the entire text of said resolution.

Seconded by: Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

In favor: All voted in the affirmative

Opposed: None

**Councilor Jackson** read and submitted letters from the Clinton County Board of Health dated March 18, 2009 and September 24, 2009 supporting fluoridation and the resolution # 27 dated March

16, 2009. Councilor Jackson expressed his views on the 9 month discussions on fluoridation. Councilor Jackson feels that the concerned citizens continued attendance and presentations at the Common Council meetings tells him that they are looking for a vote on this matter. Therefore, he is once again bringing a resolution to the table tonight to Cease Fluoridation of the City of Plattsburgh Drinking Water. He feels this issue needs to be settled so they can move on.

**Councilor Jackson** would like to read and submitted a resolution in the City of Plattsburgh to cease Fluoridation in the City of Plattsburgh Drinking Water. Seconded By **Councilor Carpenter**.

**Councilor Carpenter** feels that they (Councilors) make decisions based on experts. Health Department stated we should be fluoridating water then he will be voting to keep fluoridation in the drinking water.

**Councilor Valentine** wanted to state she never said “it was to keep her job” regarding Julie Reuter. She doesn’t feel they have been listening to this issue monthly for 9 months. She doesn’t feel it is their place to decide what people feel are important ideas and what they bring to council. She feels it is not right. She stated she had spoken to Mayor several times and was going to bring this issue up during “Budget.” She doesn’t understand why it needs to be moved forward rapidly at this time. She feels the resolutions are unfortunate rather “Bushesque” in their intent. She doesn’t believe we can place that kind of moral judgment on what people choose to talk about and simply because we are tired of hearing about it decide to move a vote forward.

**Councilor Kelly** stated that **Councilor Valentine** respectfully requested that we postpone voting on this issue until November 19<sup>th</sup> and he feels **Councilor Jackson** was way out of line to push this issue. He feels they should wait until November 19<sup>th</sup>.

**Councilor Rabideau** feels in his opinion that the people addressing the council are trying to wear the councilors down by repeating the same thing every time. He doesn’t feel that is going to change people’s minds. He also feels that the New York State made mandates upon the City of Plattsburgh to change the water storage tanks which cost over 2 million dollars. He feels that if the State of New York felt we shouldn’t be fluoridating the water they would come down with a mandate saying take the fluoride out of the water. He called the Center for Disease Control and they support the fluoridation of water. He feels we need to put our faith in the departments that have the duty and the responsibility over the people in the State of New York to make these decisions. He will be voting “No” whether they vote tonight or whatever the date is.

**Councilor Valentine** feels this has been her issue and she had repeatedly spoken the Mayor that she was going to bring this issue up during budget. She feels the Mayor knew prior to last weeks meeting that Jim was going to bring this resolution forward and there was no discussion with her and feels that it was unethical and unfortunate. She feels when a councilor has committed to an issue it should be discussed with that councilor through the entire process. She is one voice on this issue and will discuss at budget time still whether this resolution passes tonight or not. Moving through Board of Health meetings is difficult at the meetings are only once a month and presentations limited.

**Councilor Calnon** strongly disagrees with one of **Councilor Valentine’s** comments. He feels their

job at this table is to debate issue. The debate and discussion happens here not before and after meetings. He feels the reason this topic has been on the table off and on, repeatedly for 9 months means people don't know how they feel and so they come to the podium telling us the same things. He feels their lack of making a decision fosters the repeated appearances. It is not to squash anyone's right to speak. He agreed to postpone vote until November 19<sup>th</sup>. He wants to give 3 facts. EPA is charged by federal law that water standards must be revisited at least every 3 years. The last time they dealt with fluoride was in August and October 2008 and they found that the fluoride dose in our water was safe. The center of disease control prevention supports fluoride they also have as a goal for 2010 to increase the percentage of the population that is drinking fluoridated water. These are the scientists that our nation has hired to protect our health and prevent disease. He stated the last 4 Surgeon General's issued opinions supporting fluoridation. He said scientists, doctors and toxicologists that our government has hired to protect our water have told us it is the right thing to do. The studies are clear studies high doses of fluoridation are extremely toxic but fluoride in the appropriate doses is considered safe. He wants to make sure our water is being maintained at appropriate levels and wants our water filtration staff understands this discussion is not at all any fault about what is going on at the Water Pollution Control Plant. He will vote to support the continuation of fluoride.

**Councilor Valentine** feels EPA has been a broken system for about 20 years. She would be very careful of what the EPA states. We know from CDC that Fluoride works topically better than it does systemically. She feels we get redundant ways in which we ingest fluoride and that it builds up over time.

**Councilor Carpenter** disagrees with Jim that people don't know how we feel. He gets in touch with someone who comes and talks to the council. He said there is no way he is going against the Board of Health. He said if you want people to know how they feel then you can call a person or speak to them after the meeting.

**Council Calnon** stated passing a resolution is how people know how they feel.

**Council Kelly** shared his experience with fluoride. If people want fluoride we can give it to them we can buy \$10,000 worth of toothpaste and put it in the City Clerk's office and people can get it free of charge. Why should we mass medicate the entire population? He will not support fluoridating the water anymore.

**Councilor Jackson** wanted to make it clear he never said he was tired of people coming to the council. He also wants to commend our Water Pollution Control Plant for maintaining the optimum levels. He feels we have no indication that it has adversely affected the population of the City of Plattsburgh or it would have been stopped.

**Councilor Kelly** he said by taking vote tonight it won't stop people from coming to the council

**Councilor Jackson** hopes if a decision is made for or against continuing to fluoridate the water that opinion will be respected and accepted. People who have a differing opinion could run against the current councilors.



**Councilor Valentine** new ideas take time and this is an issue that takes time.

**Councilor Kelly** predicts that in our lifetime the water will not be fluoridated anymore.

**Corporate Council John E Clute** updated everyone procedurally to observe rules of order. He also reminded everyone that our council is unique and generous in that they allow public to speak. If the public abuses this the council can implement rules on public addressing the council. This point should be conveyed to both sides of the issue.

**Councilor Jackson** would like to offer a motion to invoke Rule 4 and the resolution to cease fluoridation of the City of Plattsburgh drinking water remains postponed until 11-19-09. Seconded by **Councilor Carpenter**.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

In Favor: Councilor Rabideau, Councilor Jackson

Opposed: Councilor Carpenter, Councilor Kelly, Councilor Calnon, Councilor Valentine

**ACTION TAKEN:** Defeated. The resolution to cease fluoridation of the City of Plattsburgh drinking water remains postponed until 11-19-09.

**Councilor Carpenter** asked if **Councilor Jackson** could bring this up again next week.

**Councilor Jackson** indicated that he would not be here next week.

**Councilor Calnon** wants medical and prescription plans information for employees included in budget sessions. Also, reminded councilors they received overall capital fund packet in their mail boxes and to take some time working on this before budget sessions begin. He will be circulating a list of departments to all councilors to see if they feel a need to meet with every department.

**Councilor Kelly** asked if he wants to ask a question “what is that for?” during budget sessions and that person is not there...who does he ask?

**Councilor Calnon** suggested he knows his questions before hand and we can make sure the right person is there to answer them.

**Councilor Rabideau** said since Jim had mentioned Kevin Farrington and maybe not needing to meet with him they would want him to be there if they are discussing something under Public Works and the engineer needs to answer the question.

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## **11. CLOSING PUBLIC COMMENTS NONE**

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Kelly  
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson  
(All voted in the affirmative)  
**MEETING ADJOURNED:** 7:00pm